

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VICTOR VELASQUEZ, an individual, on
behalf of himself and on behalf of all
persons similarly situated,

Plaintiff,

v.

SUN-MAID GROWERS OF
CALIFORNIA,

Defendant.

Case No. 1:21-cv-00194-AWI-EPG

ORDER GRANTING STIPULATION TO
STAY CASE AND VACATING
SCHEDULING ORDER

(ECF Nos. 17, 22)

On December 22, 2021, the parties submitted a stipulation requesting to stay this case and continue the deadline for filing a motion for class certification in light of a related case pending in state court. (ECF No. 22.) Having considered the parties' stipulation, IT IS HEREBY ORDERED that:

1. This action is STAYED until issuance of a ruling on the motion for class certification filed in *David Diaz v. Sun-Maid Growers of California*, Case No. 18CECG04502, pending before the Fresno County Superior Court (the "*Diaz* Action");
2. The Scheduling Order entered on June 16, 2021 (ECF No. 17) is VACATED;
3. Within seven days after the state court issues an order on the pending motion for class certification in the *Diaz* Action, the parties shall provide a joint status report advising

1 the Court of the status of this case and the *Diaz* Action, as well as the parties'
2 proposal(s) for rescheduling the remainder of this lawsuit or otherwise terminating the
3 lawsuit;

4 4. Within six months of entry of this order, if the state court has not yet issued a ruling on
5 the motion for class certification, the parties shall file a joint status report advising the
6 Court of the status of the *Diaz* Action and the parties' positions on continuing the stay;
7 and

8 5. The Court reserves the right to lift the stay to the extent there is undue delay with the
9 *Diaz* Action.

10 IT IS SO ORDERED.
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12 Dated: January 3, 2022

13 /s/ Eric P. Grogan
14 UNITED STATES MAGISTRATE JUDGE
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